

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

Matthew Alexander Nielson; J.Z., a Minor
under age 18 by his Parent and Guardian
Michele Stephens; D.M., a Minor under age 18
by her Parent and Guardian Victoria Reed; and
the Freedom From Religion Foundation, Inc.,

Plaintiffs,

v.

School District Five of Lexington and
Richland Counties,

Defendant.

C.A. No. 3:12-cv-01427-CMC

**DEFENDANT'S RESPONSES TO
LOCAL RULE 26.01
INTERROGATORIES**

Defendant, School District Five of Lexington and Richland Counties, hereby
responds to Local Civil Rule 26.01 DSC Interrogatories as follows:

(A) State the full name, address and telephone number of all persons or legal
entities who may have subrogation interest in each claim and state the basis and extent of said
interest.

RESPONSE

None.

(B) As to each claim, state whether it should be tried jury or nonjury and why.

RESPONSE

Defendant understands that if any of the claims of the Complaint reach
trial, Plaintiffs are entitled to the matter being tried by a jury.

(C) State whether the party submitting these responses is a publicly owned
company and separately identify: (1) each publicly owned company of which it is a parent,

subsidiary, partner, or affiliate; (2) each publicly owned company which owns ten percent or more of the outstanding shares or other indicia of ownership of the party; and (3) each publicly owned company in which the party owns ten percent or more of the outstanding shares.

RESPONSE

Defendant is not a publicly owned company.

(D) State the basis for asserting the claim in the division in which it was filed (or the basis of any challenge to the appropriateness of the division)

RESPONSE

Defendant School District Five of Lexington and Richland Counties is a public school district located in Lexington and Richland Counties, and for this reason alone, this matter is properly filed in the Columbia Division of the United States District Court for the District of South Carolina.

(E) Is this action related in whole or in part to any other matter filed in this District, whether civil or criminal? If so, provide: (1) a short caption and the full case number of the related action; (2) an explanation of how the matters are related; and (3) a statement of the status of the related action. Counsel should disclose any cases which may be related regardless of whether they are still pending. Whether cases are related such that they should be assigned to a single judge will be determined by the Clerk of Court based on a determination of whether the cases: arise from the same or identical transactions, happening or events; involve the identical parties or property; or for any other reason would entail substantial duplication of labor if heard by different judges.

RESPONSE

This action is not related in whole or in part to any other matter filed in this District.

(F) [Defendants only.] If the defendant is improperly identified, give the proper identification and state whether counsel will accept service of an amended summons and pleading reflecting the correct identification.

RESPONSE

Defendant is properly identified.

(G) [Defendants only.] If you contend that some other person or legal entity is, in whole or in part, liable to you or the party asserting a claim against you in this matter, identify such person or entity and describe the basis of said liability.

RESPONSE

Defendant does not contend that some other person or entity is, in whole or in part, liable to the Defendant or to the Plaintiff.

(SIGNATURE BLOCKS ON NEXT PAGE)

Respectfully Submitted:

By: s/ Andrea E. White
Andrea E. White (Fed. I.D. No. 5620)
Meredith L. Seibert (Fed. I.D. No. 9919)

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Attorneys for Defendant School District Five
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August 10, 2012
Columbia, South Carolina